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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,942	09/19/2003	Peng Wang	13905-019001 / 2003P00659	8436
22852	7590	08/21/2006	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			CAO, PHUONG THAO	
			ART UNIT	PAPER NUMBER
			2164	

DATE MAILED: 08/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/666,942

Applicant(s)

WANG ET AL.

Examiner

Phuong-Thao Cao

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 31-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 31-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>6/21/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to Amendment filed on 6/13/2006.
 2. Original claims 1-30 have been canceled. New claims 31-54 have been added.
- Currently, claims 31-54 are pending.

Information Disclosure Statement

3. The Information Disclosure Statement (IDS) filed by Applicant on 6/21/2006 has been received and considered. A copy of the reviewed IDS is enclosed with this office action.

Response to Arguments

4. Applicant's arguments with respect to claims 31-54 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Art Unit: 2164

6. Claims 31-51 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The subject matter “a validity period associated with *each of the plurality* of the content data” claimed in claims 31-51 are a new subject matter because it is not disclosed in the specification.

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 38-44 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 38-44 claim a computer program product as computer program per se which is a non-statutory subject matter. A computer program needs to be embodied on a computer-readable medium to enable the underlying functionality to occur.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

9. Claims 31-54 are rejected under 35 U.S.C. 102(a) as being anticipated by Goerke et al. (Employee Stock Plans Interface 1.0 Recommendation, October 2002).

As to claim 31, Goerke et al. teach:

“A method for updating a record stored in a database and transmitting valid content data as of the time of transmission, the record including a plurality of content data and a validity period associated with each of the plurality of content data” (see Diagram on page 13, [page 15, paragraph 1 and 5], [page 16, paragraph 1 and 2] and [page 17, paragraph 2] wherein inception data combined with end data creates a validity period for a Plan data and Human Resource Information System must include a database to maintain data as disclosed), comprising:

“receiving a notification regarding a change in a validity period of at least one of the plurality of content data of the record” (see [page 17, paragraph 4, 5 and 7] for the notification of change such as terms of the grant which is considered as validity period of the grant);

“updating, based on the notification, the record by changing the validity period for one of the plurality of content data” (see [page 17, paragraph 2 and 7] wherein the change from the

original expiration data to another data as disclosed is equivalent to Applicant's "changing the validity period");

"extracting, at a predetermined time, valid content data from the updated record, the valid content data corresponding to content data having a validity period including the predetermined time" (see [page 16, paragraph 1, 4, 7 and 8], and [page 17, paragraph 1 and 2] wherein terms of the grant such as vesting or expiration is equivalent to Applicant's "validity period including the predetermined time);

"producing an internal document that includes the valid content data extracted from the updated record" (see [page 19, paragraph 1] wherein maintenance file used to sent updated information is equivalent to Applicant's "internal document");

"producing a file that includes the valid content" (see [page 19, paragraph 1]); and

"sending the file at the predetermined time" (see [page 19, paragraph 1], [page 17, paragraph 1, 2, 6] and [page 16, paragraph 4 and 8]).

As to claim 38, Goerke et al. teach:

"A computer program product for updating a record stored in a database and transmitting valid content data as of the time of transmission, the record including a plurality of content data and a validity period associated with each of the plurality of content data" (see Diagram on page 13, [page 15, paragraph 1 and 5], [page 16, paragraph 1 and 2] and [page 17, paragraph 2] wherein inception data combined with end data creates a validity period for a Plan data and Human Resource Information System must include a computer program and a database to process and

maintain data as disclosed), the computer program product storing instructions for execution by a machine to:

“receive a notification regarding a change in a validity period of at least one of the plurality of content data of the record” (see [page 17, paragraph 4, 5 and 7] for the notification of change such as terms of the grant which is considered as validity period of the grant);

“update, based on the notification, the record by changing the validity period for one of the plurality of content data” (see [page 17, paragraph 2 and 7] wherein the change from the original expiration data to another data as disclosed is equivalent to Applicant’s “changing the validity period”);

“extract, at a predetermined time, valid content data from the updated record, the valid content data corresponding to content data having a validity period including the predetermined time” (see [page 16, paragraph 1, 4, 7 and 8], and [page 17, paragraph 1 and 2] wherein terms of the grant such as vesting or expiration is equivalent to Applicant’s “validity period including the predetermined time);

“produce an internal document that includes the valid content data extracted from the updated record” (see [page 19, paragraph 1] wherein maintenance file used to sent updated information is equivalent to Applicant’s “internal document”);

“produce a file that includes the valid content” (see [page 19, paragraph 1]); and

“send the file at the predetermined time” (see [page 19, paragraph 1], [page 17, paragraph 1, 2, 6] and [page 16, paragraph 4 and 8]).

As to claim 45, Goerke et al. teach:

“A system for updating a record stored in a database and transmitting valid content data as of the time of transmission, the record including a plurality of content data and a validity period associated with each of the plurality of content data” (see Diagram on page 13, [page 15, paragraph 1 and 5], [page 16, paragraph 1 and 2] and [page 17, paragraph 2] wherein inception data combined with end data creates a validity period for a Plan data and Human Resource Information System must include a database to maintain data as disclosed), comprising:

“a company including a computer system” (see [page 16, paragraph 1]) that:

“receives a notification regarding a change in a validity period of at least one of the plurality of content data of the record” (see [page 17, paragraph 4, 5 and 7] for the notification of change such as terms of the grant which is considered as validity period of the grant);

“updates, based on the notification, the record by changing the validity period for one of the plurality of content data” (see [page 17, paragraph 2 and 7] wherein the change from the original expiration data to another data as disclosed is equivalent to Applicant’s “changing the validity period”);

“extracts, at a predetermined time, valid content data from the updated record, the valid content data corresponding to content data having a validity period including the predetermined time” (see [page 16, paragraph 1, 4, 7 and 8], and [page 17, paragraph 1 and 2] wherein terms of the grant such as vesting or expiration is equivalent to Applicant’s “validity period including the predetermined time);

“produces an internal document that includes the valid content data extracted from the updated record” (see [page 19, paragraph 1] wherein maintenance file used to sent updated information is equivalent to Applicant’s “internal document”);

“produces a file that includes the valid content” (see [page 19, paragraph 1]); and

“sends the file at the predetermined time” (see [page 19, paragraph 1], [page 17, paragraph 1, 2, 6] and [page 16, paragraph 4 and 8]).

As to claims 32, 39 and 46, these claims are rejected based on arguments given above for rejected claims 31, 38 and 45 respectively, and are similarly rejected including the following:

Georke et al. teach:

“wherein the file includes Extensible Markup Language” (see Abstract and Appendix C [page 49]).

As to claims 33, 40 and 47, these claims are rejected based on arguments given above for rejected claims 31, 38 and 45 respectively, and are similarly rejected including the following:

Georke et al. teach:

“wherein the change in the validity period includes extending a time period in which the record content is valid” (see [page 20] and [page 21] for the attributes “validFrom” and “validTo” of the record content “StockPlan”, the inclusion of these attributes allows the change in the validity period including extending a time period as illustrated in Applicant’s claim language).

As to claims 34, 41 and 48, these claims are rejected based on arguments given above for rejected claims 31, 38 and 45 respectively, and are similarly rejected including the following:

Georke et al. teach:

“wherein the change in the validity period includes shortening a time period in which the record content is valid” (see [page 20] and [page 21] for the attributes “validFrom” and “validTo” of the record content “StockPlan”, the inclusion of these attributes allows the change in the validity period including shortening a time period as illustrated in Applicant’s claim language).

As to claims 35, 42 and 49, these claims are rejected based on arguments given above for rejected claims 31, 38 and 45 respectively, and are similarly rejected including the following:

Georke et al. teach:

“wherein the record includes information associated with a participant of a stock option program” (see [page 15, paragraph 5-8]).

As to claims 36, 43 and 50, these claims are rejected based on arguments given above for rejected claims 31, 38 and 45 respectively, and are similarly rejected including the following:

Georke et al. teach:

“wherein the record includes information associated with stock option granted in a stock option program” (see [page 15, paragraph 1 and 2] and [page 16, paragraph 1, 5-8]).

As to claims 37, 44 and 51, these claims are rejected based on arguments given above for rejected claims 31, 38 and 45 respectively, and are similarly rejected including the following:

Georke et al. teach:

“repeating at least the step of extracting, producing the internal document, producing the file, and sending at a second predetermined time” (see [page 16, paragraph 1-4] and [page 19, paragraph 1]).

As to claim 52, Georke et al. teach:

“A method for updating a record stored in a database and transmitting valid content data as of the time of transmission, the record including at least one content data and a validity period associated with the at least one content data” (see Diagram on page 13, [page 15, paragraph 1 and 5], [page 16, paragraph 1 and 2] and [page 17, paragraph 2] wherein inception data combined with end data creates a validity period for a Plan data and Human Resource Information System must include a database to maintain data as disclosed), comprising:

“receiving a notification during a first time period regarding a change in a validity period of the at least one content data included in the record that is to be effected during a second time period, wherein the first time period and the second time period are different” (see [page 17, paragraph 4, 5 and 7] for the notification of change effected terms of the grant which is considered as notification regarding change in a validity period of the grant data from a first time period to second time period, as illustrated in Applicant’s claim language);

“updating, based on the notification, the record by changing the validity period for the at least one content data” (see [page 17, paragraph 2 and 7] wherein the change from the original expiration data to another data as disclosed is equivalent to Applicant’s “changing the validity period”);

“extracting, at a periodic time interval, valid content data from the updated record, the valid content data corresponding to content data being current at the time of extraction” (see [page 16, paragraph 1, 4, 7 and 8], and [page 17, paragraph 1-7]);

“producing an internal document that includes the valid content data extracted from the updated record” (see [page 19, paragraph 1] wherein maintenance file used to sent updated information is equivalent to Applicant’s “internal document”);

“producing a file that includes the valid content” (see [page 19, paragraph 1]); and

“sending the file at the periodic time interval” (see [page 19, paragraph 1], [page 17, paragraph 1, 2, 6] and [page 16, paragraph 4 and 8]).

As to claim 53, this claim is rejected based on arguments given above for rejected claim 52 and is similarly rejected including the following:

Georke et al. teach:

“wherein the periodic time interval includes a day” (see [page 16, paragraph 4] for the disclosure of regular exchange of data occurring each night).

As to claim 54, this claim is rejected based on arguments given above for rejected claim 52 and is similarly rejected including the following:

Georke et al. teach:

“wherein the periodic time interval includes a week” (see [page 16, paragraph 4] for the disclosure of regular exchange of data occurring each night which anticipates ‘the period time interval includes a week’ as illustrated in Applicant’s claim language).

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong-Thao Cao whose telephone number is (571) 272-2735. The examiner can normally be reached on 8:30 AM - 5:00 PM (Mon - Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PTC

August 9, 2006

Julie S. Wasserman
Primary Examiner
Art Unit 2167